
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:22-cv-02845-JLS-AFM

Date: December 15, 2022

Title: Esvin Fernando Arredondo Rodriguez v. United States of America

Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

V.R. Vallery
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY
ALLEGATIONS ON BEHALF OF MINOR A.F.A.J. SHOULD
NOT BE STRICKEN**

Plaintiff Esvin Fernando Arredondo Rodriguez brings claims in this action in his individual capacity. (*See* Complaint, Doc. 1 at 1.) Though he claims to bring the action “on behalf of himself and his minor daughter [A.F.A.J.],”¹ A.F.A.J. is not listed in the case caption, nor does Plaintiff specify in what capacity, if any, he is acting as her representative. (Complaint at 2.) Counts IV through VI of the Complaint pertain to injuries sustained by A.F.A.J. (*Id.* ¶¶ 85-99.)

The Court is under a “under a legal obligation to consider whether [a minor] is adequately protected” in a legal action and has “broad discretion” to act in order to protect minors’ interests, including by appointment of a guardian ad litem. *United States v. 30.64 Acres of Land*, 795 F.2d 796, 805 (9th Cir. 1986). Here, Plaintiff has not alleged any facts, other than that he is A.F.A.J.’s father, tending to show that he can adequately represent her interests. He does not allege that he brings representative claims as her guardian or that he is qualified to act as her guardian ad litem. Accordingly, Plaintiff is

¹ Federal Rule of Civil Procedure 5.2(a) states that “[u]nless the court orders otherwise, in an electronic or paper filing with the court that contains ... the name of an individual known to be a minor ... a party or nonparty making the filing may include only: ... the minor’s initials.” Plaintiff violates that rule in both his Complaint and his Opposition to Defendant’s Motion to Dismiss (Doc. 20). In each, Plaintiff refers to his daughter by her full name. In order to protect A.F.A.J.’s privacy, the Court conditionally places the Complaint and Opposition under seal. Plaintiff should review the docket carefully and alert the Court if there are any other filings that include A.F.A.J.’s full name. Depending on the Court’s ultimate ruling on this OSC, Plaintiff may be ordered to re-file documents using only her initials.

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ORDERED to show cause within **seven days** of the issuance of this Order why Counts IV through VI should not be stricken.

Initials of Deputy Clerk: vrv